

Calendar No. 1184

68TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1115

EXTENSION OF TIME FOR PAYMENT OF PURCHASE MONEY DUE UNDER CERTAIN HOMESTEAD ENTRIES AND GOVERNMENT LAND PURCHASES

FEBRUARY 3 (calendar day, FEBRUARY 14), 1925.—Ordered to be printed

Mr. NORBECK, from the Committee on Public Lands and Surveys, submitted the following

REPORT

[To accompany H. R. 10592]

The Committee on Public Lands and Surveys, to whom was referred the bill (H. R. 10592), to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government land purchases within the former Cheyenne River and Standing Rock Indian Reservations, North Dakota and South Dakota," having considered the same, reports thereon favorably without amendment and recommends it do pass.

The recommendations of the Department of the Interior are indicated by the report submitted by them in House Report No. 1117.

[House Report No. 1117, Sixty-eighth Congress, second session]

The Committee on the Public Lands, to whom was referred the bill (H. R. 10592) authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak., carefully considered the same and recommended its passage with the following amendments:

On page 2, line 8, strike out "1923" and insert "1925."

On page 2, line 16, strike out the word "six" and insert "three."

The following is a brief history of national legislation so far as it relates to the opening up of the unallotted lands on the Cheyenne River and Standing Rock Reservations so far as it relates to settlement and purchase:

FORMER CHEYENNE RIVER AND STANDING ROCK UNALLOTTED RESERVATION LANDS

Opened May 2, 1910, under act of May 29, 1908 (35 Stat. 460).

Terms of sale (act of 1908): One-fifth purchase price payable at date of homestead entry; balance payable in five equal annual installments.

Acts authorizing extensions of time for payments: March 26, 1910 (36 Stat. 266); April 13, 1912 (37 Stat. 84); May 28, 1914 (38 Stat. 383).

FORMER STANDING ROCK UNALLOTTED RESERVATION LANDS

Opened May 3, 1915, under act of February 14, 1913 (37 Stat. 675).

Terms of sale: One-fifth of purchase price payable at date of homestead entry; balance payable in five equal annual installments, the first within two years from date of entry.

Act authorizing extensions of time for payments: March 4, 1921 (41 Stat. 1446).

Section 4 of the act of May 29, 1908, authorizing the disposal of a portion of the surplus and unallotted lands within said reservation, provides that any lands remaining unsold after said lands have been opened to entry for seven years may be sold to the highest bidder for cash under such rules and regulations as the Secretary of the Interior may prescribe. Under this proviso and regulations prescribed by the Secretary lands were sold in June and October of 1920 upon the following terms of sale: All cash at the time of purchase or one-third down and the balance in two equal annual installments due one and two years from date of purchase at 5 per cent interest on deferred payments.

The act of April 25, 1922, upon application made by an entryman or Government land purchaser, granted extensions of payment of purchase price to the 1923 anniversary of his filing or purchase, upon payment of interest at the rate of 5 per cent per annum in advance, and provided further that in case such entryman or purchaser is unable to pay at the end of such extended period the Secretary of the Interior in his discretion may grant further extensions for a period not exceeding three years in the aggregate. Under this law extensions can not be granted beyond the 1926 anniversary of the entry or purchase.

From the testimony it appears that there are still a considerable number of entrymen and public-land purchasers who will not be able to meet all their payments by the 1926 anniversary, and it therefore seems desirable to permit further extensions in the discretion of the Secretary of the Interior to the 1928 anniversary.

The bill as amended will permit the Secretary to grant extensions in all deserving cases to the 1928 anniversary. The settlers upon the Government lands involved have encountered many hardships and difficulties in their effort to develop and improve their respective tracts. Most of them started out with a very small capital and, owing to the disproportionately low prices for farm products during most of the period that they have lived upon the lands and the further fact that the crops have frequently been light, they have been unable to meet their payments to the Government promptly. To help relieve the distress of the settlers and to make it possible for them to save their lands, it is both desirable and necessary that the bill should become law. The recommendation of the committee is substantially concurred in by the Department of the Interior, as will be seen by the letter from the Secretary hereto appended:

DEPARTMENT OF THE INTERIOR,
Washington, December 31, 1924.

HON. N. J. SINNOTT,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. SINNOTT: I have your request for report on H. R. 10592, a bill to amend the act approved April 25, 1922 (42 Stat. 499), authorizing extensions of time for the payment of purchase money due upon homestead entries and purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.

The act of April 25, 1922 (42 Stat. 499), extended the time of payment of any purchase money due under entry or contract of purchase until the 1923 anniversary of the date of the entry or purchase, and authorized the Secretary of the Interior, in his discretion, to further extend the time for a period not exceeding three years. The bill proposing to amend the said act would authorize the Secretary to extend the payments for a period of six years from the 1923 anniversary of the entry or sale. Good administration demands that the payments for such lands shall be made at as early a date as may be fixed without undue hardship to the entrymen or purchasers. It is not therefore believed that there is any present necessity for extending the time of such payments until the 1929 anniversary of the sale or entry; but no objection will be urged against a provision authorizing extension until the 1927 anniversary.

There is some doubt whether the act of April 25, 1922 (42 Stat. 499), authorizes or whether the bill now under consideration, if enacted, would permit

extension of the payments not due at the time of the enactment of the said act of April 25, 1922. To remove any doubt, it is suggested that "1923," in line 8, page 2, of the bill, be stricken out, and "1925" inserted in lieu thereof, and the bill should be further amended by striking out the word "six" in line 16, page 2, and inserting the word "two." As changed, the bill would authorize, upon application, extensions of time until the 1925 anniversary of the date of the entry or purchase, and would permit the Secretary, in his discretion, to extend the time for such payment until the 1927 anniversary of the sale or entry.

If amended in the manner above suggested, no objection will be interposed to the enactment of the bill.

Very truly yours,

E. C. FINNEY, *Acting Secretary.*

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extension of the payment, not due at the time of the enactment of the act of April 23, 1932. To remove any doubt, it is suggested that "1932" in line 8, page 2, of the bill be stricken out and "1933" inserted in its stead, and the bill should be further amended by striking out the word "six" in line 10, page 2, and inserting the word "two". As framed, the bill would authorize upon application, extensions of time until the 1935 anniversary of the date of the entry or purchase, and would permit the Secretary in his discretion to extend the time for such payment until the 1937 anniversary of the sale or entry. If amended in the manner above suggested, no objection will be interposed to the enactment of the bill.

Very truly yours,

E. C. FINNEY, Acting Secretary.

